IMT Nuremberg Archives

H – 964

International Court of Justice

Com. B.
Take 1 - 8
Winkler
19 June 1946
1000 - 1130 hours

H0964-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

19 June 1946

COMMISSIONER:

Mr. George R. Taylor

CORPS OF POLITICAL LEADERS

(The Commission reconvened at 1100 hours)

HANS SCHNEIDER, a witness, took the stand and testified as follows:

MR. TAYLOR: Will you state your name?

THE WITNESS: My name is Hans Schneider.

MR. TAYLOR: Will the witness raise his right hand and repeat the following oath: I swear by God, the Almighty and Omniscient, thatI will speak the pure truth and will withhold andadd nothing.

(The witness repeated the oath)

MR. TAYLOR The witness will be seated. Dr. Nath, proceed with the witness, please.

DIRECT EXAMINATION

BY DR. NATH (Defense Counsel)

Q. Witness, you are by profession an Oberstudienrat and you were such for twenty-five years? You are 53 years old, is that correct?

A. Yes, that is correct.

Q. When did you enter the Party and what were your motives?

A. I jointed the Party on the first of May 1933 during my student years

H0964-0003

during which I earned my living. I was on the side of the democracy.

MR. MONNERAY: Would it be possible for defense counsel to indicate the motive of this witness. Why he is being heard.

MR. TAYLOR: The counsel has handed to the Commission a statement that the witness was a Zellenleiter from March 1936 to May 1942 in the vicinity of Augsburg. The witness will make statements about placing and tasks of the Zellenleiter and relate his point of view about prosecution charges regarding conspiracy (Party program) and crimes agains the peace, rules of warfare and against humanity.

BY DR. NATH:

Q. Will you please continue?

A. The policy of the governments from 1920 to 1933 caused me to come close to the Deutsch-Nationale Partei. I was not active in Party politics at that time; however, I was the vice chairman of the municipal employees sector at Augsburg. In particular I represented the interests of the higher civil service employees of the city of Augsburg. After the ascension of power of the Party, I felt it my duty to assist my co-workers in the Third Reich. I was conscious of the somewhat less than friendly attitude of the Party toward the civil service employees. Since the Deutsch-Nationale with the National Socialist Party formed the Government, I joined the Party though I had scruples in regard to certain programatic points of the National Socialist Party.

Q. When and where were you a Zellenleiter?

A. I was Zellenleiter from March 1936 to May 1942 at Stadt Bergen near Augsburg.

Q. Would you say that due to your experience you were qualified to give information on a larger circle of Political Leiters - in particular, the Blockleiters and Zellenleiters?

2

Com. B.
Take 1 - 10
Winkler
19 June 1946
1000 - 1130 hours

H0964-0004

A. I was acquainted with the Political Leiter of our Ortsgruppen, and I was also acquainted with a large number of Political Leiters in Augsburg and similar neighboring municipalities.

Q. Will you please describe to us how it happened that you accepted the office of a Zellenleiter?

A. I moved in Stadt Bergen in December 1935. In February 1936, I participated in the first meeting of the Ortsgruppen. At this meeting the Ortsgruppen announced that I had been appointed by him as the Zellenleiter of Zelle #2. He had neither asked me if I wished to accept the position, nor did he notify me of the appointment previously. I was rather astonished at hearing my name mentioned at the meeting; however, as a party member I did not think I could refuse the appointment. I immediately inquired from him what my duties were to be. He answered that basically that I would have to be concerned only with money collections. That is why he referred me to the Kassenleiter.

Q. Have you received an identification card as Political Leiter?

A. I have received such identification from the Kreisleiter at Augsburg.

Q. Have you been sworn in?

A. The Kreisleiter has not sworn me in.

Q. Were there orders for Party members to accept Party offices or could you refuse?

A. Every Party member was obliged to collaborate if required to do so, and if he was in a situation permitting him to fulfill the tasks he was asked to do so.

Q. Were there any directives or regulations from the part of the Chiefs of your sections; for instance, to accept such Party offices?

A. The superior offices have repeatedly and very urgently asked Party members to collaborate.

Com. B.
Take 1 - 11
Winkler
19 June 1946
1000 - 1130 hours

HO964 - 0005

Q. Was a civil servant permitted to resign from a Party office, because he disagreed with the political use of the Party, and did that have any consequence for the person concerned?

A. Every civil servant had to consider very thoughtfully what his road might be if he wished to resign from the Party office for political reasons, for he was conscious of the fact that a resignation would have considerable consequence for his career as a civil servant. During war time it would have been utterly impossible for any civil servant employee to resign from his Party office since this would have been considered sabotage against the State. His oath as a civil servant and according to the German civil service law, the civil servant had taken an oath to the Fuehrer, and Party and State had been declared to be as one.

Q. Will you please tell what the duties of a Zellenleiter consisted of?

A. The Zellenleiter acted as an intermediary between the Blockleiter and Ortsgruppenleiter and the members of the staff of Ortsgruppenleiter. The largest office duties consisted of helping and taking care of money transactions. He had to pick up the membership stamps from the Kassenleiter (treasurer), and transfer them to the Blockleiter. The Blockleiter turned over to him the cash which he had collected, and the Zellenleiter then in his turn, transferred the cash to the Kassenleiter - the same way he had to take care of the relief work, chances, motion picture benefit tickets, tickets for all sorts of entertainments or meetings. He turned these over to the Blockleiter and transmitted the cash. The Propaganda Leiter gave him pamphlets, training letters, propaganda material, and those he also had to turn over to the Blockleiter. Furthermore, it came within his scope to inform the Blockleiter if a conference was called for them by the Ortsgruppenleiter or members of the Ortsgruppenleiter Staff, or if they had to appear for lectures or any other sort of reason. Occasionally, he had to discuss the application of orders eminating from the Orts-

H0964-0006

gruppenleiter. For instance, the practical execution of a collection for soldiers.

Q. I wish to put some questions to you regarding the organization. Witness, was it that in case of necessity, Blockhelfer were put at the ~~xxxxxx~~ disposal of the Blockleiter. Would it be possible to speak here of a Staff of the Blockleiters or of sections or dividions of the Blockleiters which were subordinate to him?

A. The Blockleiter had no right to give out directives independently of any sort, and thus he could not have had any staff or any sort of office. Blockhelfers were permitted only in case of necessity. Our Ortsgruppen did not have any since the number of Party members was too small. Only in connection with the Ortsgruppenleiter could one speak of a Staff.

Q. ~~xDid~~ Would you as Zellenleiter, as any Blockleiter, be in power to give instructions to the Blockhelfer or were they subordinate to you in regard to discipline?

A. The Blockhelfer had the same ~~xxxxx~~ duties as the Blockleiter had - only that they executed them in part for the Blockleiter. Thus one could not give independent instructions to the Blockhelfer. No Blockleiter had any disciplinary authority in regard to his co-workers.

Q. The prosectuion has exempted members of the Staff of Ortsgruppenleiter from the charges. Were the Block and Zellenleiters the superiors of the Political ~~xxxx~~ Leiters on the Staff of the Ortsgruppenleiter?

A. I t was vice versa. The members of the Staff of the Ortsgruppenleiter gave directives to the Blockleiters and ~~xxxxx~~ they were obliged to execute them.

Q. Have the duties of the Blockleiters and Zellenleiters changed during the course of years, and could one differentiate between pre-war times up to and including 1939 and the war years up to 1945?

5

H0964-0007

A. During the course of years the tasks of the Block and Zellenleiters have experienced a change. Some of the tasks which had been executed during peace time were eliminated during the war years. The war caused new duties to be given to the Block and Zellenleiters. I refer in particular to air radd protection and care and relief for the population. Here they acted as the outstanding care and relief organization for the residents of the Block.

Q. Were there regular conferences of Blockleiters and Zellenleiters and the Ortsgruppenleiter? Who was present - what were the things beeng discussed?

A. Actually there were regular conference prescribed, but many times these fegular conferences did not take place.. Our Ortsgruppen had conferences only as required. Present at these meetings were the Ortsgruppenleiters and those staff members and members of other organizations which were acquainted with the matterw which were being discussed.

Q. Were there any connections between the Block and Zellenleiters to the Kreisleiters or superior offices?

A. Block and Zellenleiters were subordinate to the Ortsgruppenleiter in every respect. The organizational structure of the Party and regulations of the Party made it impossible that the Block and Zellenleiter had any connection with the Gauleiter or the Kreisleiter.

Q. Will it be correct to say ~~t~~ as the prosecution has characterized the Blocklieter as littler Caesars who were terrorizing the people?

A. I have previously described the duties of the Blockleiter. ~~There~~ Their relationship to the population frequently was a very minor one. That is particularly true referring to ~~the~~ peace times. It was their task to care for the population and I can state that by far the largest part of the Blockleiter saw their duties as carrying and providing relief for the population. Many Blockleiters have already unwillingly accepted their duties. They had to give up some of their free hours. Even the Party members did not hold them in high esteem.

6

Schneider

H0964-0008

They were glad when they got rid of their duties.

Q. I shall return to that point later. You are obviously lost.

###

MR. TAYLOR: We will have a 10 minute recess.

Recessed at 1130 hours.

H0964 – 0009

11:30 A.M.

MR. TAYLOR: Proceed with the examination of the witness.

Q. Without any authorization by the police, and without any court procedure, they were in position to deprive people of their goods and liberty and even their lives. Were the block and zellen leiters authorized in such a manner?

A. As previously stated by me, the work of the block and zellen leiters consisted only in putting into practice those directives and orders which were given to them and which pertained to the administration of the ortsgruppe. Because of that, no such rights were given to the block and zellen leiters by anyone, nor did it ever occur to them to undertake such procedure.

Q. Did you have the authority as a block and zellen leiter to requisition the SA and to commit them to compel citizens to follow your orders in regard to certain matters?

A. I can only repeat that the zellen leiters only accepted orders from and executed orders of the ortsgruppenleiter and his staff. They had no independent authority to issue regulations whatsoever. It was completely impossible that they should ever have given orders to the leiters of other organizations.

Q. Did the block and zellen leiters have any connections with other Nazi organizations, as, for instance, the SD or the SA or the Gestapo?

A. No. A large part of them did not have any idea of the existence of the SD.

Q. Were you acquainted with the Organizations Book edited by Ley?

A. None of us was acquainted with this Organizations Book. We also believe that nobody paid any attention to that book. And nobody believed that the directives of this book had been fulfilled explicitly.

8

H0964-0010

Q. Page 101 of the Organizations Book reads, "It is the duty of the block and zellen leiter to report anyone disseminating harmful rumors to the ortsgruppe, so that the competent authority may be notified by them." Did the blockleiter receive any information from either the zellenleiter or the ortsgruppenleiter regarding this duty to inform on their co-residents?

A. Never has the ortsgruppenleiter transmitted such directives to the zellenleiter, who, in turn, of course could not transmit such directives to the blockleiter.

Q. Do you know of any case where a block or zellenleiter tried to get information regarding the political views of a resident, and then reported such, so that the consequences for this resident were those of court punishment or that the resident might have other disadvantages emanating from such an action?

A. In my entire activity, ever since I joined the Party, I never came across such a case.

Q. Is it correct that block and zellen leiters had to write a report of the morale at regular intervals? What sort of morale reports were these?

A. It is my knowledge that such morale reports were required. To a great extent,however, this requirement was not fulfilled. During the five years that I was active, according to my knowledge the ortsgruppenleiter asked only twice for oral reports regarding the morale of the population. He needed references upon which the propaganda leiter could base his report, which had to be submitted to the kreisleiter. All block and zellen leiters unanimously refused to make any reports of the morale of the population. I told him expressly that I was put there ~~for~~ merely ~~for~~ to take care of many affairs and the other duties which I have described before. The ortsgruppenleiter stated that he merely wanted to have a report on the reaction of the population to

H0964-0011

government measures, and to find out what the desires and wishes and complaints of the population were.

Q. I now wish to discuss the significance of the meaning of the word, "noheitstraeger", as referring to block and zellen leiters. Did the noheitstraegers exercise ("hoheitsrechte") sovereign rights over the residents of their respective districts?

A. The title, "noheitstraeger", was merely a title without any meaning whatsoever. It was never made clear to us just what rights were ours on the basis of this title. Just as before, we also had to fulfill the same duties. I frequently pondered upon it, but I was never able to figure out just what new privileges were conferred upon me by this title. Finally I came to the conclusion that it was a mere phrase.

Q. Were you acquainted with the publication, "Der Hoheitstraeger"? Did the Parteileitung supply this magazine to the block and zellen leiters?

A. I did not know until charges were brought against political leiters that such a publication existed, and we certainly never received it.

Q. Witness, do you know whether the block and zellenleiters with whom you were acquainted were of the Christian religion?

A. All of the block and zellen leiters in my orbit belonged to the Christian Church.

Q. Did any Party authority ever direct the block and zellen leiters to resign from the Church?

A. They never received such a directive. The ortsgruppenleiter and the gauleiter both were members of the Christian religion. They themselves, on their own initiative, avoided any counter-church influence.

Q. The political leiters are also charged with having taken part in a conspiracy. They are said to have participated in the execution of this

H0964-0012

common plan and committed crimes against peace, against the customs of war, against humanity. The Prosecution sees within the Party Program the main points of the Nazi plan. I shall submit briefly a few of these points. "We demand that all Germans unite on the basis of the right of self-determination of all people within a greater Germany." Did the block and zellen leiters with whom you were acquainted consider this point as referring to the conquest of foreign territories?

A. The uniting of people of like language, kind, and background has been recognised in one of Wilson's "Fourteen Points." And the popular elections which took place in connection with the peace treaty brought about in a peaceful way the connection of several areas with their respective desired states. And thus it might have been possible that some day those territories inhabited by Germany might have been put back into greater Germany in a peaceful way.

Q. "We demand land and ground (colonies) for the food situation of our people and the settlement of our people." Was this part of the Program considered a plan of conquest of foreign territories? What did the block and zellen leiters consider the means by which this program should be achieved?

A. German colonies had been acquired legally. It was the general desire that these should be returned to Germany since, partially at least, they were suitable to supply raw materials to Germany and to take a part of the over-numerous population. No one ever thought of occupying foreign territories, particularly if you consider the basic principle of that, which says, "Germany consists of that part which is inhabited by Germans."

Q. Will you tell your views if I submit to you briefly a document which shows that, in July 1941, Hitler intended to incorporate the Crimea, Galicia,

H0964 - 0013

the Baltic States, and other territory into Germany? Will you please tell us your attitude from the point of view of a block and zellen leiter. (Document L 221, USA 317)

A. We never were acquainted with this plan. I consider it fantastic, completely impractical; I consider it against all the principles of the Party Program; I consider it as a crime against the people who would have had to suffer because of it.

Q. Point Four of the Party Program reads, as I quote: "A citizen can only be someone who is a volksgenosse; a volksgenosse can be only one who is of German blood, regardless of his denomination. Hence, no Jew can be a volksgenosse." This constitutes a lower position for the citizen of Jewish belief. In practice, this part of the Program has produced the worst persecution of the Jews. What was the understanding of the political leiters, of which you are one--which is to say the block and zellen leiters?

A. I may say that this was one of the principal points which made my attitude go somewhat against the NSDAP. There were quite a few well-reputed, highly-esteemed Jewish families in Augsburg. I, as well as my wife, had social contacts with them. It was our belief that the Party would treat the Jews in a decent manner. No block and zellen leiter approved of the treatment of the Jews on the basis of the Nuernberg Laws. Party members made purchases in Jewish shops until the last, for they knew that they would be served honestly and well. In Augsburg, in particular, there was no hatred or unequal attitude toward the Jews. Also, the synagogues and the subsidiary buildings are completely in order.

Q. Will you describe to the court the kind of people these block and zellen leiters were, and from what professions and positions they came.

A. As I stated before, the duties of the block and zellen leiters were

H0964 - 0014

of a very inferior nature, indeed. Generally, therefore, these offices were held by men from the simple classes--peasants, locksmiths, masons, night watchmen, tanners, casual laborers. All these people were honest, decent, and deserving of confidence--people who could be sent to any Party member or any resident of the block. The greatest part of them were possessed merely of a primary education and of a primary political knowledge.

Q. We now come to another question. Was it possible for the block and zellen leiter to influence the laws of the Third Reich either by a right to influence them or by the mere possibility of having an effect on them?

A. The block and zellen leiters were not the representatives of the will of the people. Their tasks were only of an administrative nature. Nobody ever asked them for their political opinions. Consequently, they were completely without any influence on any laws.

Q. The Prosecution charges that another example of the participation in the conspiracy is given by their participation in the persecution of the Church. A clarification is needed as to just what part the block and zellen leiters played in the persecution of the Church and what they knew of it. Were the block and zellen leiters informed regarding the attitude of the Party leadership toward the Church and Christendom in general, either by the ortsgruppenleiter or by any other authority--as, for instance, by propaganda speakers or by means of training courses?

A. Party lectures I attended never touched upon the subject of the attitude of the Party toward the Church. We were never instructed regarding measures against the Church.

Q. From which authorities emanated directives which caused the removal of crucifixes from the Church and the elimination of morning and evening prayers? I am referring to a document submitted by the Prosecution: PS 070, USA 371.

H0964-0015

A. I am unable to throw any light on the question of from whence these orders ~~xxxxx~~ emanated, since block and zellen leiters never were informed in this direction.

Q. The Nazis arrested a considerable number of clergymen. They were taken to concentration camps. Property was confiscated. Did the Party leadership inform block and zellen leiters of the reasons for the arrest of clergymen and the confiscation of monasteries and other Church property?

A. I wish to repeat that block and zellen leiters never were informed why certain steps were taken against certain parts of the population.

Q. In the/~~xxxxxxxxxxxxx~~ ensuing years, persecution of the Jews became more frequent. Were block and zellen leiters ever, in any way, connected with such measures as the wearing of the Jewish star, the expropriation of ~~xxix~~ personal property, and so forth?

A. We never received any orders in this connection, and I also believe that nowhere else did block and zellen leiters receive such orders.

Q. As a further example of the part political ~~xxxx~~ leiters played in the conspiracy, the Prosecution enumerates the destruction of the free trade unions. The Prosecution here refers to the ~~xxxxx~~ part played by "outstanding leaders of the Corps of Political Leaders." Were the block and zellen leiters informed/as to just who destroyed the free trade unions, or did they in any way participate?

A. The destruction of the free trade unions took place in 1933. At that time I was not a political leiter. That is why I am not in a position to state anything definite about this.

Q. Were the political leiters, which is to say the block and zellen leiters, ~~xxxxx~~ acquainted with the Einsatzstab Rosenberg?

A. Block and zellen leiters were not acquainted with it and had nothing to do with it at all.

Com. B
Take 2 - P 7
Noll
19 June 1946

H0964 - 0016

Q. On the night of the ~~ninth and tenth~~ 9th-10th November, 1938, Jewish pogroms took place and the synagogues were burned, Jewish homes were destroyed, and many Jewish citizens were arrested and thrown into concentration camps. Were the political leiters informed of such an action previous to the action, and were they asked to ~~xx~~ participate in any manner?

A. No information was given to block and zellen leiters, and they did not in any way participate in this action.

Q. I now come to the point of the Prosecution referring to the customs of war and the breach of the rules of war. ~~xxxfxxxxxblockxxxxxxzellenxleitersxxx~~ The following is the essential point of the discussion: "The Corps of Political Leaders ~~x~~ is charged with having taken active part in, or being responsible for, the murder, harm, or bad treatment of Allied fliers who had to make emergency landings in German territories or in territories controlled by Germany. German civilians are said to have mistreated or murdered many pilots instead of treating them as prisoners of war, with the absolute agreement, yes, even with the initiative, of certain members of the Corps of Political Leaders." Four documents have been introduced by the Prosecution referring to this case. In order to save ~~xx~~ time, I shall submit to you only two documents. The "Volkischer Beobachter", 29 May 1944, published an article by Goebbels. Document 1676 PS of the Prosecution; USA 334. I wish to quote an excerpt: "Only with arms could the life of enemy pilots who were shot down ~~by~~ be protected; otherwise, they would have been killed by the population which had had horrible experiences. Who is in the right? Murderers who expect their victims to treat them humanely after their cowardly misdeeds, or the victims who want to defend themselves on the basis of an eye for an eye and a tooth for a tooth?" ~~Goebbels himself answers~~ Goebbels himself answers, and I quote, "It seems hardly feasible that German police and soldiers should be committed against the German population when it treats the murderers of children in the way in

15

H0964-0017

which
they deserve to be treated." Doesn't that article contain at least an indirect order, or at least a publication of a tolerance, that fliers who have come down in an emergency should be attacked by German civilians and hurt, or even killed?

A. In any case, this article of Goebbels' asks the population of Germany to take actions of ~~xxxxx~~ violence on enemy fliers. In my opinion, Goebbels wanted to stamp the people as war criminals.

Q. Does this article contain a demand specifically directed to the block and zellen leiters? Did the block and zellen leiters consider this article as such?

A. I must answer this question in the negative. He is talking to the total population, and the block and zellen leiters could not because of this assume from the article that it was directed to them specifically. They only had to act by orders of the ortsgruppenleiter.

Q. A further document ~~xx~~ submitted by the Prosecution is a circular ~~xxx~~ emanating from Reichsleiter Bormann, dated 30 May 1944. It is PS 057, USA 329. "Any police and court processes against volksgenossen who were involved have not ~~xxx~~ taken place." This circular refers to an incident by which enemy fliers who made emergency landings were lynched by the population. The distribution list of the document shows that kreisleiters and gauleiters should be notified. Orgstruppenleiters were supposed to be informed only orally by the kreisleiter. Will you please describe to the court any incidents pertaining to emergency landings by enemy fliers. Just what was their treatment, and what was the attitude of the block and zellen leiters to these events?

A. I shall first ~~xxxxx~~ answer the last question. Block and zellen leiters, as far as I was informed, were not cognisant of the circular by Bormann. Several enemy planes made emergency landings in the vicinity of

H0964-0018

Augsburg. Peasants extended hospitality to the injured fliers and took care of them at first, and then the military transferred them to the hospital. The population was interested, particularly because among them was a nephew of Mr. Churchill. The city holding the ~~Messerschmidtwerk~~ Messerschmidtwerke of course was especially interested in aviators. By themselves, they did not wish any harm to come to these fliers. I ~~am~~ may include in ~~it~~ that statement also block and zellen leiters.

DR. NATH: May I add, for the record, that the Messerschmidtwerke was a large plane factory.

(The Commission was recessed until 1400 hours)

Com. B.
Take 3 - 1
Winkler
19 June 1946
Schneider

H0964 — 0019

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

19 June 1946

COMMISSIONER:

Mr. George R. Taylor

CORPS OF POLITICAL LEADERS

(The Commission convened at 1400 hours)

HANS SCHNEIDER, a witness, took the stand and testified as follows:

MR. TAYLOR: We will proceed with further examination of the witness by Dr. Nath. The witness is to be reminded that he is still under oath.

THE WITNESS: Yes.

DIRECT EXAMINATION RESUMED

BY DR. NATH----------

Q. The prosecution has also charged the treatment of prisoners of war and of foreign labor. Had the Zellenleiter and Blockleiter anything to do with the prisoners of war and foreign laborers - their treatment and their feeding?

A. During the war I was both in the country and city. No where and at no time did I learn that the Political Leiters had anything to do with those two things.

Q. Did the Zellenleiter and Blockleiter know anything about the so-called mercy killings - reference is made to Hitler's order of the end of 1939, in accordinge to which certain incurably ill should be killed under certain conditions?

H0964-0020

A. From the Party leadership, the Block and Zellenleiters did not learn anything about that.

DR. NATH: No further questions.

MR. TAYLOR: Any cross examination?

CROSS EXAMINATION

BY LT. COL. GRIFFITH JONES:

Q. You told us that on your appointment as Blockleiter, you were issued with some kind of identity card?

A. Yes.

Q. Or rather when you were appointed to be Zellenleiter?

A. Yes.

Q. Was that a special card which was issued to Zellenleiters or was it a card which all Party members possessed?

A. Special for the Zellenleiter only.

Q. Did Ortsgruppenleiters and Kreisleiters have similar cards?

A. I'm convinced they had.

Q. And Blockleiters?

A. I didn't see any.

Q. What did it say on your Zellenleiter identification card?

A. The text was as follows: Hans Schneider is Zellenleiter at Stadt Bergen in the Kreisleiter of Augsburg - signed by so and so, Kreisleiter.

Q. You have told us that Zellenleiters and Blockleiters were never regarded as Hoheitstrager?

A. That is correct.

Q. You know that the Organization Book describes Hoheitstrager as consisting of Gauleiter, Kreisleiter, Ortsgruppenleiter and both Zellenleiter and Blockleiter?

A. That is so.

H0964-0021

Q. Can you explain why Zellenleiter and Blockleiter should be so described, if, in fact, they are not Hoheitstrager?

A. We were told that that was merely a title to/give recognition to the merits which the Block and Zellenleiters had in the past.

Q. What do you mean by the merits of the Block and Zellenleiters?

A. That they fulfilled the tasks imposed upon them by the party in an honest manner.

Q. So that was the reason, was it, why they were continually described year by year in the Organization Book as being members of the Hoheitstrager?

A. Yes, they had been appointed Hoheitstragers and part of them had the external marks of Hoheitstrager.

Q. And if I understand you correctly, Zellenleiter anyway had the special identity card which was issued to all other Hoheitstrager?

A. I never saw the identity papers of Ortsgruppenleiters, Kreisleiters and other leiters.

Q. We won't argue about it. You told us that you think it almost certain that the others held cards. Now, we will go on to another matter. Am I correct in thinking that you held office as Zellenleiter up to May of 1942?

A. Yes, thatis correct.

Q. What position did you hold after that?

A. I moved/from Stadt Bergen to Augsburg and therefore didn't hold any Political Leiter position after that.

Q. Do you mean by that that you simply moved your residence?

A. Yes.

Q. No, I understand also that when youjoined the party in 1933, you did so with certain scruples?

A. Yes.

Q. What were the reasons for your scruples?

H0964-0022

A. One point I mentioned already - there was a race problem. The position of the non-Germans in the midst of the German people. The other source of my scruples was of an economic nature. Essentially, the Nazi Party was hostile towards the civil servants since there was reason to feel that the rights and privileges of the civil servants would be curtailed.

Q. Very well, may I take it from that that you oppose the policies of the Nazi Party in respect of the Jews?

A. Yes.

Q. And did you continue opposed to that policy throughout the whole time?

A. Yes. There was up to 1943, a student in my school who was half Jewish, and she never had xx to suffer any disadvantages.

Q. ~~Itxxxxkingxy~~ I'm not asking you about the Jews in your school. It was common knowledge, was it now, to all Zellenleiter and all Blockleiter throughout Germany that from 1933 onwards, systematic persecution of the Jews was advocated and carried out by the Nazi Government?

A. That point was a Party program - has been hardly touched upon in the speeches of Hitler or in the discussion of suppression.

Q. I'm not asking you about the speeches of Hitler. I'm asking you whether or not it was common knowledge among everybody in Germany that systematic persecution of the Jews was conducted by the Nazi Party from 1933 onwards?

A. In 1933 one couldn't talk at all about the persecution of the Jews. They kept their positions and business enterprises. The students remained in the schools and I couldn't remember at all that any steps were taken against them.

Q. I'll have to remind you of some of the steps - you remember the boycott of 1933 - the boycott ~~on~~ April 1 1933 - do you remember that?

A. It is quite xx impossible that there was a boycott on April 1. Elections

H0964 - 0023

were on March 5, and the day of Potsdam was on March 21, and I can't imagine that there was a boycott on April 1.

Q. I don't want any more speech making. You came here to give evidence about various matters. Do you realize that you are, I think, the first witness that has been heard before this Commission or before the Tribunal who doesn't very well remember the boycott of April 1933?

A. No.

Q. Let's see if you remember some of the other things. Do you remember some laws which were called the Nurnberg Decrees?

A. Yes, but they were issued later.

Q. You remember those two years later?

A. Yes.

Q. Then your memory goes back so far as 1935, but that is the limit.

MR. TAYLOR: What was the witness' answer.

A. Yes, I remember the Nurnberg Decree.

Q. Do you remember the demonstration which took place on the 9 and 10 of November 1938?

A. Yes.

Q. Would you call organized demonstrations of that kind persecution?

A. Yes, so I would.

Q. You remember, do you, the so-called ayranization of Jewish property?

A. Yes, I do.

Q. That, in fact, was State stealing - State larceny of property belonging to the Jewish race, was it now? That's what it amounted to, wasn't it?

A. Yes, for all practical purposes.

Q. Do you call that persecution?

A. Yes.

H0964 - 0024

Q. Do you call it persecution to make men wear yellow stars on their back wherever they go?

A. Yes.

Q. And it was common knowledge, was it not, that all that was initiated, approved, and carried out by the Nazi government?

A. All things ordered were issued without asking the members at all.

Q. We'll get on very much better if you will answer my question. You see, I didn't ask whether the members of the Party were asked about those things. I asked whether they were all initiated, approved of, and carried out by the Nazi Government?

A. Yes, those measures were initiated, approved and carried out by the Government.

Q. It was common knowledge, was it not, that when the Nazi Government came into power they instigated the concentration camps? Well, perhaps it's going back too far again for your memory. Let's take it in 1935. Do you remember concentration camps being in existence in 1935?

A. I couldn't tell you in which year we learned of the concentration camps.

Q. When you did learn of them, it was common knowledge, wasn't it?

A. Yes.

Q. Did you approve of them?

A. All we learned was that political hostile forces were arrested and housed in a common place. Above that we did not learn anything.

Q. You see again that wasn't the question I asked you. Did you approve of the system of concentration camps. Now, we have waited some two and a half minutes for your answer. Surely you can answer it yes or no. Perhaps two and a half minutes is exaggerated ! One and one-half minutes anyway it's

H0964-0025

been that long.

A. No.

Q. You didn't approve?

A. No, because it had not been usual up to then to arrest political enemies unless they had committed crimes against the State.

Q. And would you say that the majority of Block and Zellenleiters disapproved of the system of concentration camps, and of the principle of arrest without trial?

A. We were honest people and as such we could not at all approve of such a thing.

Q. Did you know of the organization known as the Gestapo?

A. Only by name.

Q. And, of course, I remember you never heard of the SD?

A. Once I heard that an acquaintance of mine was employed by the SD.

Q. Would it surprise you to know that you are again, I think, one can safely say, the first witness that we have heard in this trial, who didn't know about the Gestapo and SD. Is that another fault of your memory, do you think?

A. I didn't mean to say that I didn't know anything about the Gestapo. Nobody informed me about the scope of their activities.

Q. Without going into details about it - what you did know about the Gestapo, did you approve of it?

A. No.

Q. May I take it that the majority of Zellenleiters andBlockleiters did not approve of the Gestapo?

A. Yes, you may assume so.

Q. Did you know, during the war, that a great number of foreigners were brought to work for Germans in Germany?

H0964-0026

A. Yes.

Q. They were, in fact, slaves, were they not? That is what it came to, was it not?

A. Like slaves they were taken away from their homes, but in their work, as far as I could judge, in both the country and city, they did not make the impression of slaves.

Q. Did you approve of the ~~xxx~~ system of taking them away from their homes and making them work in Germany?

A. No, some of them told me personally they were taken suddenly from their homes and taken in available cars in to Germany.

Q. Now, you ~~xxxxxxx~~ knew also, did you not, that it was the policy of the Nazi Government ~~xx~~ to suppress the churches - the influence of the Christian churches?

A. Yes.

LT. COL. GRIFFITH JONES: I don't honestly think we need go any further unless Dr. Nath wants to go into details - we will cut this much shorter.

DR. NATH: I believe he wanted to make a short statement.

LT. COL. GRIFFITH JONES: Very well, try to make your answer short as possible.

THE WITNESS: Certain measures were uniform - non-financial measures - merely getting rid of church leaders and so on.

BY COL. GRIFFITH JONES:

Q. I assure you we know the measures taken. I don't want ~~xx~~ you to tell us. My question for you to answer was whether you approved and you told us you disapproved of the order that came down from the highest Nazi levels as to the treatment of the air men, parachutists, that landed?

A. Certainly.

H0964-0027

Q. You did agree with me, did you not, that all those matters which we have mentioned - the persecution of the ~~Jewish~~ Jews, the system of concentration camps, and of arrests without trial, the organization known as the Gestapo, the system of foreign slaves, the policy of suppressing the churches, and the orders issued about Allied pilots. You would agree that in respect of all those things, it was the Nazi party that was responsible?

A. Yes, certainly.

Q. Would you agree with me that it was on the Political Leiters and their organizations that the Nazi Government relied for its power and control over the STATE?

A. They had to rely on those orbits which had to carry out the order of the highest Party leadership.

Q. Without the cooperation of Political Leiters, the Gau, the Kreis, the Ortsgruppen, the Zellen, and the Block Leiters, the Nazi Government could never have gained power nor ~~xxxxxxxx~~ continued in power, could it?

A. With political measures only, the upper levels going up from the Ortsgruppenleiter were concerned. The lower ones had nothing to do with political measures.

Q. Without the Zellen and Blockleiters, the Ortsgruppenleiters could never had carried out their tasks, could they?

A. Block and Zellenleiters were never entrusted with political tasks.

Q. Just answer my question ~~xxxx~~. Without the Block and Zellenleiters, the Ortsgruppenleiter could never have carried out tasks - either their political tasks or their other ~~xxx~~.tasks?

A. I answered already that the Block and Zellenleiters were concerned only with administrative matters.

Q. ~~XXXXXXXXXXX~~ I'm not asking you - I'll give you one more opportunity to answer this question. Your evidence is all being taken down on the short-

H0964-0028

hand notes and the Tribunal will read it and see what your evidence is, and if they you don't answer your question then/xxx will see that you Haven't answered my question.

MR. TAYLOR: Would you remind the witness that we could expedite the hearing if he would pay close attention to prosecutions' questions and answer them briefly and not try to make a speech. Should the witness not know the answer to the question, he may then say so.

Q. Now, I'll ask youmy question once more and then we'll leave the matter. Would you agree with me that without the Zellenleiters and Blockleiters the Ortsgruppenleiters could never have carried on the tasks that they had to perform?

A. Yes, that is correct.

Q. I just want to ask you your opinion upon one matter. Do you think that allthose Zellenleiters and Blockleiters who disapproved of the various measures being carried out by the Nazi Government are blameless if they took active part in the administration of their Government? If they were performing a part without which the remainder of the organization couldn't have functioned?

A. I can't imagine any task by the fulfillment of which the Block and Zellenleiter would have persuaded any guilt.

LT. COL. GRIFFITH JONES: That is all.

BY COL. ORLOV, (Russian prosecutor)

Q. You were a member of the Nazi party?

A. Yes.

Q. You considered the Party program correct?

A. The major part.

Q. Of which parts of the Party program did you not approve?

A. With the treatment of the race problem and part of the economic policy.

H0964-0029

Q. And the question of Wars?

A. As far as I can judge there was not a question of Wars in the Nazi Party.

Q. You realized, didn't you, that it was Hitler's intention to break all treaties which he considere unjust? For instance, the Treaty of Versailles?

A. From the very beginning, Hitler stated that he fought the Versailles Treaty, but he didn't tell us that he intended to break it in conflict with other nations. We believed that he thought of a gradual revision of the Versailles Treaty.

Q. Did you approve of the persecution of the Jews?

A. No.

Q. What actually remains of Hitler's program, if you eliminate his race problem, persecution of Jews, and the attitude towards the Jews, etc. what actually remains?

A. In 1933, when six million were unemployed in thirty-two political parties - the major part of the population was hungry. None of the political parties was in a position to eliminate that distress, and the Nazi Party declared all for one - we are all one community and all of us had to aid and assist everybody. "I'm bringingyou work and bread". And other demands were considered irrelevant - all that we wanted is work.

Q. All other Parties had promised the same. All of them were for nationality, community, and all against distress and unemployment?

A. Yes, but the other Parties did not have any ideas and plan ~~extxt~~ how to give work and bread to the people. It was a mere question of existence - thatwas the reason why so many labors joined the party.

Q. Did you think that you could be a member of the Party and do just what you wanted? and that you could realize only those parts of the Party program which you liked and desired?

A. Initially, we didn't consider the party program as a major matter. Germany

H0964-0030

was at the break of grief. One didn't bother about points of a Party program, but was rather concerned how would father and son remain working and remain in their positions.

Q. You did admit that Hitler would not have succeeded in doing anything without a Party?

A. It was not only through the party members that Hitler gained power, but through the voters who in accordance with the law elected him to office.

Q. You didn't answer my question. My question was - do you understand that Hitler could not have done anything without the Nazi Party?

A. Yes.

Q. Therefore, do you admit or don't you that you are responsible for all the crimes which Hitler committed?

A. Just as much as a soldier is responsible for the crimes which his general commits.

COL. ORLOV: No further questions.

BY DR. NATH:

Q. Witness, you state that Block and Zellenleiters did not receive any political instructions from the Ortsgruppenleiter, is that so?

A. Yes.

Q. You further state that it was the Ortsgruppenleiter and the Kreisleiter and the Gaulieter who had to fulfill the political tasks?

A. Yes.

Q. Were the Ortsgruppenleiter able to fulfill their political tasks?

A. I don't know what the tasks of the Ortsgruppenleiter were.

Q. You know, don't you, that the Ortsgruppenleiter had a political staff?

A. Yes.

Q. List a few offices of the Staff of Ortsgruppenleiter?

A. Treasurer, man in charge of organization, propaganda leader, training leader

HO964-0031

man in charge of press relations and man in charge of cultural activities.

Q. Isn't it true that the names of those office already indicate the nature of the task which the Ortsgruppenleiter had to fulfill?

A. Yes.

Q. Was the function of the Zellenleiter and Blockleiter to assist the Ortsgruppenleiter in the fulfillment of these tasks? For instance, was it the task of the Blockleiter and Zellenleiter to cooperate with the man in charge of propaganda or the man in charge of training?

A. Yes.

Q. In what manner?

A. By carrying out the instructions of the treasurer.

Q. I didn't talk about the treasurer - I talked about the man in charge of training and propaganda?

A. I never had anything to do with the men in charge of training. The man in charge of propaganda just passed on to us material for propaganda for distribution to the families in our districts.

Q. Would it be fair to say that the Block and Zellenleiters were the messenger or errand boys of the Ortsgruppenleiter or would those Block and Zellenleiters have independent tasks of their own?

A. At no time did the Block and Zellenleiters fulfill any independent tasks of their own.

Q. You were asked whether the higher levels of the party had been unable to work without theBlock and Zellenleiter?

A. That is so.

Q. The persecution of the Jews, the establishment of the concentration camps, the foreign laborers, the suppression of the churches - - all these are matters of which you stated the Block and Zellenleiters had nothing to do with. Then how was it possible that all things could take place and did take place

H0964-0032

if, as you stated before, nothing could have been done without the Block and Zellenleiters?

A. Party and State were one, but the measures of the State were not carried out exclusively by the Party. I don't know who in the individual case would carry out those measures. At any rate the Block and Zellenleiters had nothing to do with it.. Actually they were not Hoheitstragers and therefore, they were in no position to fulfill political tasks.

Q. I would like to aid your memory a little - the day of Potsdam - . that was a political day, wasn't it?

A. Yes.

Q. What was the meaning of the happening of the day of Potsdam?

A. The German parliment assembled in the church at Potsdam to receive addresses of the president and the chancellor of the Reich.

Q. How many concentration camps did you actually know of?

A. We knew of Dachau.

Q. How many others?

A. We didn't know of any other names.

DR. NATH: That is all.

MR. TAYLOR: Any further cross examination of this witness?

None. (All Counsel, indicated NO)

DR. NATH: I was given today a document D-901A and I have only a brief chance to glance it over. This document which is a document of the prosecution is pointed out by my colleagues and does not carry any signature. It is a general practice in the Court that documents at first are to be submitted in the original, so that the defense has a chance to convince itself of the genuine nature of the document. I would appreciate it if the prosecution could make available to us this document in its original, so that we can express opposition in regard to it, and I would like to request that up to that moment

H0964 – 0033

that the document should not be used in evidence nor should it be made a part of the proceedings.

MR. TAYLOR: Dr. Nath, if you will recall the prosecution stated yesterday that the original document was in Maryland; (USA) that the copy he presented to you and offered ~~in~~ in evidence had been certified to by some official in England as a true and correct copy of the original, and I assumed at that time afterexplanation to you, and Col. Jones explained it - that you were thoroughly familiar with the situation - that it was a certified true copy and not the original.

DR. NATH: Would it be possible atleast that we would be given the certificate and that we postpone decision on the matter until we received the certification about which you are talking.

MR. TAYLOR: Yes, you are entitled to a true copy of the exhibit and a copy of the certification also. Prosecution has stated that they will furnish you a true copy of the document and certificate in question.

The witness is excused. The Commission will recess for ten minutes.

1530
1530 hours.

The foregoing is a true and correct transcript of the testimony of HANS SCHNEIDER, taken on 18 and 19 June 1946.

Dorothie J. Noll
Reporter (pp 8 - 17

Bernice Winkler
Reporter (pp 1-7 & 18-32

CERTIFIED TO:

Geo R Taylor
Commissioner

32

H0964-0034

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

19 June 1946

COMMISSIONER:

Mr. George R. Taylor

CORPS OF POLITICAL LEADERS

(The Commission reconvened at 1100 hours)

HANS SCHNEIDER, a witness, took the stand and testified as follows:

MR. TAYLOR: Will you state your name?

THE WITNESS: My name is Hans Schneider.

MR. TAYLOR: Will the witness raise his right hand and repeat the following oath: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

MR. TAYLOR: The witness will be seated. Dr. Nath proceed with the witness, please.

DIRECT EXAMINATION

BY DR. NATH (Defense Counsel)

Q Witness, you are by profession an Oberstudienrat and you were such for twenty-five years? You are 53 years old, is that correct?

A Yes, that is correct.

Q When did you enter the Party and what were your motives?

A I joined the Party on the first of May 1933 during my student years during which I earned my living. I was on the side of the democracy.

MR. MONNERAY: Would it be possible for defense counsel to indicate the motive of this witness. Why he is being heard.

MR. TAYLOR: The counsel has handed to the Commission a state-

H0964-0035

ment that the witness was a Zellenleiter from March 1936 to May 1942 in the vicinity of Augsburg. The witness will make statements about placing and tasks of the Zellenleiter and relate his point of view about prosecution charges regarding conspiracy (Party program) and crimes against the peace, rules of warfare and against humanity.

BY DR. NATH:

Q Will you please continue?

A The policy of the governments from 1920 to 1933 caused me to come close to the Deutsch-Nationale Partei. I was not active in Party politics at that time; however, I was the vice chairman of the municipal employees sector at Augsburg. In particular I represented the interests of the higher civil service employees of the city of Augsburg. After the ascension of power of the Party, I felt it my duty to assist my co-workers in the Third Reich. I was conscious of the somewhat less than friendly attitude of the Party toward the civil service employees. Since the Deutsch-Nationale with the National Socialist Party formed the Government, I joined the Party though I had scruples in regard to certain programatic points of the National Socialist Party.

Q When and where were you a Zellenleiter?

A I was Zellenleiter from March 1936 to May 1942 at Stadt Bergen near Augsburg.

Q Would you say that due to your experience you were qualified to give information on a larger circle of Political Leiters - in particular, the Blockleiters and Zellenleiters?

A I was acquainted with the Political Leiter of our Ortsgruppen, and I was also acquainted with a large number of Political Leiters in Augsburg and similar neighboring municipalities.

Q Will you please describe to us how it happened that you accepted the office of a Zellenleiter?

A I moved in Stadt Bergen in December 1935. In February 1936, I participated in the first meeting of the Ortsgruppen. At this meeting the Ortsgruppen announced that I had been appointed

H0964-0036

ment that the witness was a Zellenleiter from March 1936 to May 1942 in the vicinity of Augsburg. The witness will make statements about placing and tasks of the Zellenleiter and relate his point of view about prosecution charges regarding conspiracy (Party program) and crimes against the peace, rules of warfare and against humanity.

BY DR. NATH:

Q Will you please continue?

A The policy of the governments from 1920 to 1933 caused me to come close to the Deutsch-Nationale Partei. I was not active in Party politics at that time; however, I was the vice chairman of the municipal employees sector at Augsburg. In particular I represented the interests of the higher civil service employees of the city of Augsburg. After the ascension of power of the Party, I felt it my duty to assist my co-workers in the Third Reich. I was conscious of the somewhat less than friendly attitude of the Party toward the civil service employees. Since the Deutsch-Nationale with the National Socialist Party formed the Government, I joined the Party though I had scruples in regard to certain programatic points of the National Socialist Party.

Q When and where were you a Zellenleiter?

A I was Zellenleiter from March 1936 to May 1942 at Stadt Bergen near Augsburg.

Q Would you say that due to your experience you were qualified to give information on a larger circle of Political Leiters - in particular, the Blockleiters and Zellenleiters?

A I was acquainted with the Political Leiter of our Ortsgruppen, and I was also acquainted with a large number of Political Leiters in Augsburg and similar neighboring municipalities.

Q Will you please describe to us how it happened that you accepted the office of a Zellenleiter?

A I moved in Stadt Bergen in December 1935. In February 1936, I participated in the first meeting of the Ortsgruppen. At this meeting the Ortsgruppen announced that I had been appointed

H0964-0037

by him as the Zellenleiter of Zelle #2. He had neither asked me if I wished to accept the position, nor did he notify me of the appointment previously. I was rather astonished at hearing my name mentioned at the meeting; however, as a party member I did not think I could refuse the appointment. I immediately inquired from him what my duties were to be. He answered that basically that I would have to be concerned only with money collections. That is why he referred me to the Kassenleiter.

Q Have you received an identification card as Political Leiter?

A I have received such identification from the Kreisleiter at Augsburg.

Q Have you been sworn in?

A The Kreisleiter has not sworn me in.

Q Were there orders for Party members to accept Party offices or could you refuse?

A Every Party member was obliged to collaborate if required to do so, and if he was in a situation permitting him to fulfill the tasks he was asked to do so.

Q Were there any directives or regulations from the part of the Chiefs of your sections; for instance, to accept such Party offices?

A The superior offices have repeatedly and very urgently asked Party members to collaborate.

Q. Was a civil servant permitted to resign from a Party office, because he disagreed with the political use of the Party, and did that have any consequence for the person concerned ?

A. Every civil servant had to consider very thoughtfully what his road might be if he wished to resign from the Party office for political reasons, for he was conscious of the fact that a resignation would have considerable consequence for his career as a civil servant. During war time it would have been utterly impossible for any civil servant employee to resign from his Party office since this would have been considered sabotage against the State. His oath as a civil servant and according to the German civil service law, the civil servant had taken an oath to the Fuehrer, and Party and State had been declared to be as one.

Q. Will you please tell what the duties of a Zellenleiter consisted of ?

A. The Zellenleiter acted as an intermediary between the Blockleiter and Ortsgruppenleiter and the members of the staff of Ortsgruppenleiter. The largest office duties consisted of helping and taking care of money transactions. He had to pick up the membership stamps from the Kassenleiter (treasurer), and transfer them to the Blockleiter. The Blockleiter turned over to him the cash which he had collected, and the Zellenleiter then in his turn, transferred the cash to the Kassenleiter - the same way he had to take care of the relief work, chances, motion picture benefit tickets, tickets for all sorts of entertainments or meetings. He turned over to the Blockleiter and transmitted the cash. The Propaganda Leiter gave him pamphlets, training letters, propaganda material and those he also had to turn over to the Blockleiter. Furthermore, it came within his scope to inform the Blockleiter if a conference was called for them by the Ortsgurppenleiter or members of the Ortsgruppenleiter Staff, or if they had to appear for lectures or any other reason. Occasionally, he had to discuss the application of orders eminating from the Ortsgruppenleiter. For instance, the practical execution of a collection for soldiers.

Q. I wish to put some questions to you regarding the organization. Witness, was it that in case of necessity, Blockhelfer were put at the disposal of the Blockleiter. Would it be possible to speak here of a Staff of the Blockleiters or of sections or divisions of the Blockleiters which were subordinate to him ?

H0964-0038

A. The Blockleiter had no right to give out directives independently of any sort, and thus he could not have had any staff or any sort of office. Blockhelfers were permitted only in case of necessity. Our Ortsgruppen did not have any since the number of Party members was too small. Only in connection with the Ortsgruppenleiter could one speak of a Staff.

Q. Would you as Zellenleiter, as any Blockleiter, be in power to give instructions to the Blockhelfer or were they subordinate to you in regard to discipline ?

A. The Blockhelfer had the same duties as the Blockleiter had - only that they executed them in part for the Blockleiter. Thus one could not give independent instructions to the Blockhelfer. No Blockleiter had any disciplinary authority in regard to his co-workers.

Q. The prosecution has exempted members of the Staff of Ortsgruppenleiter from the charges. Were the Block and Zellenleiters the superiors of the Political Leiters on the Staff of the Ortsgruppenleiter ?

A. It was vice versa. The members of the Staff of the Ortsgruppenleiter gave directives to the Blockleiters and they were obliged to execute them.

Q. Have the duties of the Blockleiters and Zellenleiters changed during the course of years, and could one differentiate between pre-war times up to and including 1939 and the war years up to 1945 ?

A. During the course of years the tasks of the Block and Zellenleiters have experienced a change. Some of the tasks which had been executed during peace time were eliminated during the war years. The war caused new duties to be given to the Block and Zellenleiters. I refer in particular to air raid protection and care and relief for the population. Here they acted as the outstanding care and relief organization for the residents of the Block.

Q. Were there regular conferences of Blockleiters and Zellenleiters and the Ortsgruppenleiter ? Who was present - what were the things being discussed ?

A. Actually there were regular conference prescribed, but many times these regular conferences did not take place .. Our Ortsgruppen had conferences only as required.

H0964 -0039

H0964-0040

Present at these meetings were the Ortsgruppenleiters and those staff members and members of other organizations which were acquainted with the matter which were being discussed.

Q. Were there any connections between the Block and Zellenleiters to the Kreisleiters or superior offices ?

A. Block and Zellenleiters were subordinate to the Ortsgruppenleiter in every respect. The organizational structure of the Party and regulations of the Party made it impossible that the Block and Zellenleiter had any connection with the Gauleiter or the Kreisleiter.

Q. Will it be correct to say - as the prosecution has characterized the Blockleiter as littler Caesars who were terrorizing the people ?

A. I have previously described the duties of the Blockleiter. Their relationship to the population frequently was a very minor one. That is particularly true referring to peace times. It was their task to care for the population and I can state that by far the largest part of the Blockleiter saw their duties as carrying and providing relief for the population. Many Blockleiters have already unwillingly accepted their duties. They had to give up some of their free hours. Even the Party members did not hold them in high esteem. They were gald when they got rid of their duties.

Q. I shall return to that point later. You are obviously lost.

MR. TAYLOR: We will have a 10 minute recess.

recessed at 1130 hours.

MR. TAYLOR: Proceed with the examination of the witness.

Q Without any authorization by the police, and without any court procedure, they were in position to deprive people of their goods and liberty and even their lives. Were the block and zellen leiters authorized in such a manner?

A As previously stated by me, the work of the block and zellen leiters consisted only in putting into practice those directives and orders which were given to them and which pertained to the administration of the ortsgruppe. Because of that, no such rights were given to the block and zellen leiters by anyone, nor did it ever occur to them to undertake such procedure.

Q Did you have the authority as a block and zellen leiter to requisition the SA and to commit them to compel citizens to follow your orders in regard to certain matters?

A I can only repeat that the zellen leiters only accepted orders from and executed orders of the ortsgruppenleiter and his staff. They had no independent authority to issue regulations whatsoever. It was completely impossible that they should ever have given orders to the leiters of other organizations.

Q Did the block and zellen leiters have any connections with other Nazi organizations, as, for instance, the SD or the Gestapo?

A No. A large part of them did not have any idea of the existence of the SD.

Q Were you acquainted with the Organizations Book edited by Ley?

A None of us was acquainted with this Organizations Book. We also believe that nobody paid any attention to that book. And nobody believed that the directives of this book had been fulfilled explicitly.

Q Page 101 of the Organizations Book reads, " It is the duty of the block and zellen leiter to report anyone disseminating harmful rumors to the ortsgruppe, so that the competent authority may be notified by them." Did the blockleiter receive any information from either the zellenleiter of the ortsgruppenleiter regarding this duty to inform on their co-residents?

H0964-0041

H0964-0042

A Never has the ortsgruppenleiter transmitted such directives to the zellenleiter, who, in turn, of course could not transmit such directives to the blockleiter.

Q Do you know of any case where a block or zellenleiter tried to get information regarding the political views of a resident, and then reported such, so that the consequences for this resident were those of court punishment or that the resident might have other disadvantages emanating from such an action?

A In my entire activity, ever since I joined the Party, I never came across such a case.

Q Is it correct that block and zellen leiters had to write a report of the morale at regular intervals? What sort of morale reports were these?

A It is my knowledge that such morale reports were required. To a great extent, however, this requirement was not fulfilled. During the five years that I was active, according to my knowledge the ortsgruppenleiter asked only twice for oral reports regarding the morale of the population. He needed references upon which the propaganda leiter could base his report, which had to be submitted to the kreisleiter. All block and zellen leiters unanimously refused to make any reports of the morale of the population. I told him expressly that I was put there merely to take care of many affairs and the other duties which I have described before. The srtsgruppenleiter stated that he merely wanted to have a report on the reaction of the population to government measures, and to find out what the desires and wishes and complaints of the population were.

Q I now wish to discuss the significance of the meaning of the word, "hoheitstraeger", as referring to block and zellen leiters. Did the hoheitstraegers exercise sovereign rights ("hoheitsrechte") over the residents of their respective districts?

A The title, "hoheitstraeger", was merely a title without any meaning whatsoever. It was never made clear to us just what rights were ours on the basis of this title. Just as before, we

also had to fulfill the same duties. I frequently pondered upon it, but I was never able to figure out just what new privileges were conferred upon me by this title. Finally I came to the conclusion that it was a mere phrase.

Q Were you acquainted with the publication, "Der Hoheitstraeger"? Did the Parteileitung supply this magazine to the block and zellen leiters?

A I did not know until charges were brought against political leiters that such a publication existed, and we certainly never received it.

Q Witness, do you know whether the block and zellen leiters with whom you were acquainted were of the Christian religion?

A All of the block and zellen leiters in my orbit belonged to the Christian Church.

Q Did any Party authority ever direct the block and zellen leiters to resign from the Church?

A They never received such a directive. The ortsgruppenleiter and the gauleiter both were members of the Christian religion. They themselves, on their own initiative, avoided any counter-church influence.

Q The political leiters are also charged with having taken part in a conspiracy. They are said to have participated in the execution of this

H0964-0043

H0964-0044

common plan and committed crimes against peace, against the customs of war, against humanity. The Prosecution sees within the Party Program the main points of the Nazi plan. I shall submit briefly a few of these points. "We demand that all Germans unite on the basis of the right of self-determination of all people within a greater Germany." Did the block and zellen leiters with whom you were acquainted consider this point as referring to the conquest of foreign territories?

A The uniting of people of like language, kind, and background has been recognized in one of Wilson's "Fourteen Points." And the popular elections which took place in connection with the peace treaty brought about in a peaceful way the connection of several areas with their respective desired states. And thus it might have been possible that some day those territories inhabited by Germany might have been put back into greater Germany in a peaceful way.

Q "We demand land and ground(colonies) for the food situation of our people and the settlement of our people." Was this part of the Program considered a plan of conquest of foreign territories? What did the block and zellen leiters consider the means by which this program should be achieved?

A German colonies had been acquired legally. It was the general desire that these should be returned to Germany since, partially at least, they were suitable to supply raw materials to Germany and to take a part of the over-numerous population. No one ever thought of occupying foreign territories, particularly if you consider the basic principle of that which say "Germany consists of that part which is inhabited by Germans."

Q Will you tell your views if I submit to you briefly a document which shows that, in July 1941, Hitler intended to incorporate the Crimea, Galicia, the Baltic States, and other territory into Germany? Will you please tell us your attitude from the point of view of a block and zellen leiter. (Document L 221, USA 317)

A We never were acquainted with this plan. I consider it fantastic, completely impractical; I consider it against all the principles of the Party Program; I consider it as a crime against the people who would have had to suffer because of it.

H0964-0045

Q Point four of the Party Program reads, as I quote: "A citizen can only be someone who is a volksgenosse; a volksgenosse can be only one who is of German blood, regardless of his denomination. Hence, no Jew can be a volksgenosse." This constitutes a lower position for the citizen of Jewish belief. In practice, this part of the Program has produced the worst persecution of the Jews. What was the understanding of the political leiters, of which you are one--which is to say the block and zellen leiters?

A I may say that this was one of the principal points which made my attitude go somewhat against the NSDAP. There were quite a few well-reputed, highly-esteemed Jewish families in Augsburg. I, as well as my wife, had social contacts with them. It was our belief that the Party would treat the Jews in a decent manner. No block and zellen leiter approved of the treatment of the Jews on the basis of the Nuernberg Laws. Party members made purchases in Jewish shops until the last, for they knew that they would be served honestly and well. In Augsburg, in particular, there was no hatred or unequal attitude toward the Jews. Also, the synagogue and the subsidiary buildings are completely in order.

Q Will you describe to the court the kind of people these block and zellen leiters were, and from what professions and positions they came.

A As I stated before, the duties of the block and zellen leiters were of a very inferior nature, indeed. Generally, therefore, these offices were held by men from the simple classes--peasants, locksmiths, masons, night watchmen, tanners, casual laborers. All these people were honest, decent, and deserving of confidence--people who could be sent to any Party member or any resident of the block. The greatest part of them were possessedmerely of a primary education and of a primary political knowledge.

Q We now come to another question. Was it possible for the block and zellen leiter to influence the laws of the Third Reich either by a right to influence them or by the mere possibility of having an effect on them?

A The block and zellen leiters were not the representatives of the will of the people. Their tasks were only of an administrative nature. Nobody ever asked them for their political opinions. Consequently, they were completely without any influence on any laws.

Q The Prosecution charges that another example of the participation

in the persecution of the Church. A clarification is needed as to just what part the block and zellen leiters played in the persecution of the Church and what they knew of it. Were the block and zellen leiters informed regarding the attitude of the Party leadership toward the Church and Christendom in general, either by the ortsgruppenleiter or by any other authority--as, for instance, by propaganda speakers or by means of training courses?

A Party lectures I attended never touched upon the subject of the attitude of the Party toward the Church. We were never instructed regarding measures against the Church.

Q From which authorities emanated directives which caused the removal of crucifixes from the Church and the elimination of morning and evening prayers? I am referring to a document submitted by the Prosecution: PS 070, USA 371.

H0964-0046

H0964-0047

A I am unable to throw any light on the question of from whence these orders emanated, since block and zellen leiters never were informed in this direction.

Q The Nazis arrested a considerable number of clergymen. They were taken to concentration camps. Property was confiscated. Did the Party leadership inform block and zellen leiters of the reasons for the arrest of clergymen and the confiscation of monasteries and other Church property?

A I wish to repeat that block and zellen leiters never were informed why certain steps were taken against certain parts of the population.

Q In the ensuing years, persecution of the Jews became more frequent. Were block and zellen leiters ever, in any way, connected with such measures as the wearing of the Jewish star, the expropriation of personal property, and so forth?

A We never received any orders in this connection, and I also believe that nowhere else did block and zellen leiters receive such orders.

Q As a further example of the part political leiters played in the conspiracy, the Prosecution enumerates the destruction of the free trade unions. The Prosecution here refers to the part played by "outstanding leaders of the Corps of Political Leaders." Were the block and zellen leiters informed as to just who destroyed the free trade unions, or did they in any way participate?

A The destruction of the free trade unions took place in 1933. At that time I was not a political leiter. That is why I am not in a position to state anything definite about this.

Q Were the political leiters, which is to say the block and zellen leiters, acquainted with the Einsatzstab Rosenberg?

A Block and zellen leiters were not acquainted with it and had nothing to do with it at all.

Q On the night of the 9th-10th November, 1938, Jewish pogroms took place and the synagogues were burned, Jewish homes were destroyed, and many Jewish citizens were arrested and thrown into concentration camps. Were the political leiters informed of such an action previous to the action, and were they asked to participate in any manner?

H0964 - 0048

A No information was given to block and zellen leiters, and they did not in anyway participate in this action.

Q I now come to the point of the Prosecution referring to the customs of war and the breach of the rules of war. The following is the essential point of the discussion: "The Corps of Political Leaders is charged with having taken active part in,or being responsible for, the murder, harm, or bad treatment of Allied fliers who had to make emergency landings in German territories or in territories controlled by Germany. German civilians are said to have mistreated or murdered many pilots instead of treating them as prisoners of war, with the absolute agreement, yes, even with the initiative, of certain members of the Corps of Political Leaders." Four documents have been introduced by the Prosecution referring to this case. In order to save time, I shall submit to you only two documents. The "Volkischer Beobachter", 29 May 1944, published an article by Goebbels. Document 1676 PS of the Prosecution; USA 334. I wish to quote an excerpt: "Only with arms could the life of enemy pilots who were shot down be protected; otherwise, they would have been killed by the population which had had horrible experiences. Who is in the right? Murderers who expect their victims to treat them humanely after their cowardly misdeeds, or the victims who want to defend themselves on the basis of 'an eye for an eye and a tooth for a tooth?'" Goebbels himself answers, and I quote, "It seems hardly feasible that German police and soldiers should be committed against the German population when it treats the murderers of children in the way in which they deserve to be treated Doesn't that article contain at least an indirect order, or at least a publication of a tolerance, that fliers who have come down in an emergency should be attacked by German civilians and hurt, or even killed?

A In any case, this article of Goebbels' asks the population of Germany to take actions of violence on enemy fliers. In my opinion, Goebbels wanted to stamp the people as war criminals.

Q Does this article contain a demand specifically directed to the block and zellen leiters? Did the block and zellen leiters consider this article as such?

A I must answer this question in the negative. He is talking to the total population, and the block and zellen leiters could not because of this assume from the article that it was directed to them specifically. They only

H0964 - 0049

had to act by orders of the ortsgruppenleiter.

Q A further document submitted by the Prosecution is a circular emanating from Reichsleiter Bormann, dated 30 May 1944. It is PS 657, USA 329. "Any police and court processes against volksgenossen who were involved have not taken place." This circular refers to an incident by which enemy fliers who made emergency landings were lynched by the population. The distribution list of the document shows that kreisleiters and gauleiters should be notified. Ortsgruppenleiters were supposed to be informed only orally by the kreisleiter. Will you please describe to the court any incidents pertaining to emergency landings by enemy fliers. Just what was their treatment, and what was the attitude of the block and zellen leiters to these events?

A I shall first answer the last question. Block and zellen leiters, as far as I was informed, were not cognisant of the circular by Bormann. Several enemy planes made emergency landings in the vicinity of Augsburg. Peasants extended hospitality to the injured fliers and took care of them at first, and then the military transferred them to the hospital. The population was interested, particularly because among them was a nephew of Mr. Churchill. The city holding the Messerschmidtwerke of course was especially interested in aviators. By themselves, they did not wish any harm to come to these fliers. I may include in that statement also block and zellen leiters.

DR. MATH: May I add, for the record, that the Messerschmidtwerke was a large plane factory.

(The Commission was recessed until 1400 hours).

H0964 - 0050

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNALDATED 13 MARCH 1946.

19 June 1946

COMMISSIONER:

Mr. George R. Taylor

CORPS OF POLITICAL LEADERS

(The Commission convened at 1400 hours)

HANS SCHNEIDER, a witness, took the stand and testified as follows:

MR. TAYLOR: We will proceed with further examination of the witness by Dr. Nath. The witness is to be reminded that he is still under oath.

THE WITNESS: Yes.

DIRECT EXAMINATION RESUMED

BY DR. NATH:

Q The prosecution has also charged the treatment of prisoners of war and of foreign labor. Had the Zellenleiter and Blockleiter anything to do with the prisoners of war and foreign laborers --their treatment and their feeding?

A During the war I was both in the country and city. Nowhere and at no time did I learn that the Political Leiters had anything to do with these two things.

Q Did the Zellenleiter and Blockleiter know anything about the so-called mercy killings -- reference is made to Hitler's order of the end of 1939, in accordance to which certain incurably ill should be killed under certain conditions.

A From the Party leadership, the Block and Zellenleiters did not learn anything about that.

DR. NATH: No further questions.

MR. TAYLOR: Any cross examination?

CROSS EXAMINATION

BY LT. COL. GRIFFITH JONES:

Q You told us that on your appointment as Blockleiter, you were issued with some kind of identity card?

A Yes.

H0964-0051

Q Or rather when you were appointed to be Zellenleiter?

A Yes.

Q Was that a special card which was issued to Zellenleiters or was it a card which all Party members possessed?

A Special for the Zellenleiter only.

Q Did Ortsgruppenleiters and Kreisleiters have similar cards?

A I'm convinced they had.

Q And Blockleiters?

A I didn't see any.

Q What did it say on your Zellenleiter identification card?

A The text was as follows: Hans Schneider is Zellenleiter at Stadt Bergen in the Kreisleiter of Augsburg -- signed by so and so, Kreisleiter.

Q You have told us that Zellenleiters and Blockleiters were never regarded as Hoheitstrager?

A That is correct.

Q You know that the Organization Book described Hoheitstrager as consisting of Gauleiter, Kreisleiter, Ortsgruppenleiter and both Zellenleiter and Blockleiter?

A That is so.

Q Can you explain why Zellenleiter and Blockleiter should be so described, if, in fact, they are not Hoheitstrager?

A We were told that that was merely a title to give recognition to the merits which the Block and Zellenleiters had in the past.

Q What do you mean by the merits of the Block and Zellenleiters?

A That they fulfilled the tasks imposed upon them by the party in an honest manner.

Q So that was the reason, was it, why they were continually described year by year in the Organization Book as being members of the Hoheitstrager?

A Yes, they had been appointed Hoheitsragers and part of them had the external marks of Hoheitstrager.

Q And if I understand you correctly, Zellenleiter anyway had the special identity card which was issued to all other Hoheitstrager?

A I never saw the identity papers of Ortsgruppenleiters, Kreisleiters and other leiters.

H0964-0052

Q We won't argue about it. You told us that you think it almost certain that the others held cards. Now, we will go on to another matter. Am I correct in thinking that you held office as Zellenleiter up to May of 1942?

A Yes, that is correct.

Q What position did you hold after that?

A I moved from Stadt Bergen to Augsburg and therefore didn't hold any Political Leiter position after that.

Q Do you mean by that that you simply moved your residence?

A Yes.

Q Now, I understand also that when you joined the party in 1933, you did so with certain scruples?

A Yes.

Q What were the reasons for your scruples?

A One point I mentioned already - there was a race problem. The position of the non-Germans in the midst of the German people. The other source of my scruples was of an economic nature. Essentially, the Nazi Party was hostile towards the civil servants since there was reason to feel that the rights and privileges of the civil servants would be curtailed.

Q Very well, may I take it from that that you oppose the policies of the Nazi Party in respect of the Jews ?

A Yes.

Q And did you continue opposed to that policy throughout the whole time ?

A Yes. There was up to 1943, a student in my school who was half Jewish, and she never had to suffer any disadvantages.

Q I'm not asking you about the Jews in your school. It was common knowledge, was it now, to all Zellenleiter and all Blockleiter throughout Germany that from 1933 onwards, systematic persecution of the Jews was advocated and carried out by the Nazi Government ?

A That point was a Party program - has been hardly touched upon in the speeches of Hitler or in the discussion of suppression.

Q I'm not asking you about the speeches of Hitler. I'm asking you whether or not it was common knowledge among everybody in Germany that systematic persecution of the Jews was conducted by the Nazi Party from 1933 onwards ?

A In 1933 one couldn't talk at all about the persecution of the Jews. They kept their positions and business enterprises. The students remained in the schools and I couldn't remember at all that any steps were taken against them.

Q I'll have to remind you of some of the steps - you remember the boycott of 1933 - the boycott of April 1933 - do you remember that ?

A It is quite impossible that there was a boycott on April 1. Elections were on March 5, and the day of Potsdam was on March 21, and I can't imagine that there was a boycott on April 1.

Q I don't want any more speech making. You came here to give evidence about various matters. Do you realize that you are, I think, the first witness that has been heard before this Commission or before the Tribunal who doesn't very well remember the boycott of April 1933 ?

A No.

Q Let's see if you remember some of the other things. Do you remember

H0964-0053

H0964-0054

some laws which were called the Nurnberg Decrees ?

A Yes, but they were issued later.

Q You remember those two years later ?

A Yes.

Q Then your memory goes back so far as 1935, but that is the limit.

MR. TAYLOR : What was the witness' answer.

A Yes, I remember the Nurnberg Decree.

Q Do you remember the demonstration which took place on the 9 and 10 of November 1938.

A Yes.

Q Would you call organized demonstrations of that kind persecution ?

A Yes. So I would.

Q You remember, do you, the so-called ayranization of Jewish property ?

A Yes, I do.

Q That, in fact, was State stealing - State larceny of property belonging to the Jewish race, was it not ? That's what it amounted to, wasn't it ?

A Yes, for all practical purposes.

Q Do you call that persecution ?

A Yes.

Q Do you call it persecution to make men wear yellow stars of their back wherever they go ?

A Yes.

Q And it was common knowledge, was it not, that all that was initiated, approved, and carried out by the Nazi government ?

A All things ordered were issued without asking the members at all.

Q We'll get on very much better if you will answer my question. You see I didn't ask whether the members of the Party were asked about those things. I asked whether they were all initiated, approved of, and carried out by the Nazi Government ?

A Yes. those measures were initiated, approved and carried out by the Government.

Q It was common knowledge, was it not, that when the Nazi Government cam into power they instigated the concentration camps ? Well, perhaps it's going back too far again for your memory. Let's take it in 1935. Do you remember concentration camps being in existence in 1935 ?

A I couldn't tell you in which year we learned of the concentration camps.

Q When you did learn of them, it was common knowledge, wasn't it ?

A Yes.

Q Did you approve of them ?

A All we learned was that political hostile forces were arrested and housed in a common place. Above that we did not learn anything.

Q You see again that wasn't the question I asked you. Did you approve of the system of concentration camps. Now, we have waited some two and a half minutes for your answer. Surely you can answer it yes or no. Perhaps two and a half minutes is exaggerated. One and one-half minutes anyway it's

H0964-0055

H0964-0056

been that long.

A. No.

Q. You didn't approve ?

A. No, because it had not been usual up to then to arrest political enemie unless they had committed crimes against the State.

Q. And would you say that the majority of Block and Zellenleiters disapproved of the system of concentration camps, and of the principle of arrest without trial ?

A. We were honest people and as such we could not at all approve of such a thing.

Q. Did you know of the organization known as the Gestapo ?

A. Only by name.

Q. And, of course I remember you never heard of the SD?

A. Once I heard that an acquaintance of mine was employed by the SD.

Q. Would it surprise you to know that you are again, I think, one can safely say, the first witness that we have heard in this trial, who didn't know about the Gestapo and SD. Is that another fault of your memory, do you think ?

A. I din't mean to say that I din't know anything about the Gestapo. Nobody informed me about the scope of their activities.

Q. Without goind into details about it - what you did know about the Gestapo, did you approve of it ?

A. No.

Q. May I take it that the majority of Zellenleiters and Blockleiters did not approve of the Gestapo ?

A. Yes, you may assume so.

Q. Did you know, during the war, that a great number of foreigners were brought to work for Germans in Germany ?

A. Yes.

Q. They were, in fact, slaves, were they not ? That is what it came to, was it not ?

A. Like slaves they were taken away from their homes, but in their work, as far as I could judge, in both the country and city, they did not make the impression of slaves.

Q. Did you approve of the system of taking them away from their homes and making them work in Germany ?

A. No, some of them told me personally they were taken suddenly from their homes and taken in available cars in to Germany.

Q. Now, you knew also, did you not, that it was the policy of the Nazi Government to suppress the churches - the influence of the Christian churche

A. Yes.

LT. COL. GRIFFITH JONES: I don't honestly think we need go any furthe unless Dr. Nath wants to go into details - we will cut this much shorther.

DR. NATH: I believe he wanted to make a short statement.

LT. COL. GRIFFITH JONES: Very well, try to make your answer short as possible.

THE WITNESS: Certain measures were uniform - non-financial measures- merely getting rid of church leaders and so on.

BY COL. GRIFFITH JONES:

Q. I assure you we know the measures taken. I don't want you to tell us. My question for you to answer was whether you approved and you told us you disapproved of the order that came down from the highest Nazi levels as to the treatment of the air men, parachutists, that landed ?

A. Certainly.

Q. You did agree with me, did you not, that all those matters which we ha mentioned - the persecution of the Jews, the system of concentration camps, and of arrests without trial, the organization known as the Gestapo, the sy tem of foreign slaves, the policy of suppressing the churches, and the orde issued about Allied pilots. You would agree that in respect of all those things, it was the Nazi party that was responsible ?

A. Yes, certainly.

Q. Would you agree with me that it was on the Political Leiters and their organizations that the Nazi Government relied for its power and control over the STATE ?

A. They had to rely on those orbits which had to carry out the order of the Highest Party leadership.

H0964-0057

Q. Without the cooperation of Political Leiters, the Gau, the Kreis, the Ortsgruppen, the Zellen, and the Block Leiters, the Nazi Government could never have gained power nor continued in power, could it ?

A. With political measures only, the upper levels going up from the Ortsgruppenleiter were concerned. The lower ones had nothing to do with political measures.

Q. Without the Zellen and Blockleiters, the Ortsgruppenleiters could never had carried out their tasks, could they ?

A. Block and Zellenleiters were never entrusted with political tasks.

Q. Just answer my question. Without the Block and Zellenleiters, the Ortsgruppenleiter could never have carried out tasks - either their political tasks or their other tasks ?

A. I answered already that the Block and Zellenleiters were concerned only with administrative matters.

Q. I'm not asking you - I'll give you one more opportunity to answer this question. Your evidence is all being taken down on the short-

H0964-0058

Q. Without the cooperation of Political Leiters, the Gau, the Kreis, the Ortsgruppen, the Zellen, and the Block Leiters, the Nazi Government could never have gained power nor continued in power, could it ?

A. With political measures only, the upper levels going up from the Ortsgruppenleiter were concerned. The lower ones had nothing to do with political measures.

Q. Without the Zellen and Blockleiters, the Ortsgruppenleiters could never had carried out their tasks, could they ?

A. Block and Zellenleiters were never entrusted with political tasks.

Q. Just answer my question. Without the Block and Zellenleiters, the Ortsgruppenleiter could never have carried out tasks - either their political tasks or their other tasks ?

A. I answered already that the Block and Zellenleiters were concerned only with administrative matters.

Q. I'm not asking you - I'll give you one more opportunity to answer this question. Your evidence is all being taken down on the short-

H0964-0059

H0964-0060

hand notes and the Tribunal will read it and see what your eviden is, and if you don't answer your question then they will see that you Haven't answered my question.

MR. TAYLOR: Would you remind the witness that we could expedite the hearing if he would pay close attention to prosecutions questions and answer them briefly and not try to make a speech. Should the witness not know the answer to the question, he may then say so.

Q Now, I'll ask you my question once more and then we'll leave the matter. Would you agree with me that without the Zellenleiters and Blockleiters the Ortsgruppenleiters could never have carried on the tasks that they had to perform?

A Yes, that is correct.

Q I just want to ask you your opinion upon one matter. Do you think that all those Zellenleiters and Blockleiters who disapproved of the various measures being carried out by the Nazi Government are blameless if they took active part in the administration of their Government? If they were performing a part without which the remainder of the organization couldn't have functioned?

A I can't imagine any task by the fulfillment of which the Block and Zellenleiter would have persuaded any guilt.

LT. COLONEL GRIFFITH JONES: That is all.

BY COLONEL ORLOV, (Russian prosecutor)

Q You were a member of the Nazi party?

A Yes.

Q You considered the Party program correct?

A The major part.

Q Of which parts of the Party program did you not approve?

A With the treatment of the race problem and part of the economic policy.

Q And the question of Wars?

A As far as I can judge there was not a question of Wars in the Nazi Party.

H0964-0061

Q You realized, didn't you, that it was Hitler's intention to break all treaties which he considers unjust? For instance, the Treaty of Versailles?

A From the very beginning, Hitler stated that he fought the Versailles Treaty, but he didn't tell us that he intended to break it in conflict with other nations. We believed that he thought of a gradual revision of the Versailles Treaty.

Q Did you approve of the persecution of the Jews?

A No.

Q What actually remains of Hitler's program, if you eliminate his race problem, persecution of Jews, and the attitude towards the Jews, etc, what actually remains?

A In 1933, when six million were unemployed in thirty-two political parties - the major part of the population was hungry. None of the political parties was in a position to eliminate that distress, and the Nazi Party declared all for one - we are all one community and all of us had to aid and assist everybody. "I'm bringing you work and bread". And other demands were considered irrelevant - all that we wanted is work.

Q All other Parties had promised the same. All of them were for nationality, community, and all against distress and unemployment?

A Yes, but the other Parties did not have any ideas and plan how to give work and bread to the people. It was a mere question of existence - that was the reason why so many labors joined the party.

Q Did you think that you could be a member of the Party and do just what you wanted? and that you could realize only those parts of the Party program which you liked and desired?

A Initially, we didn't consider the party program as a major matter. Germany was at the break of grief. One didn't bother about points of a Party program, but was rather concerned how would father and son remain working and remain in their positions.

Q You did admit that Hitler would not have succeeded in

H0964-0062

doing anything without a Party?

A It was not only through the party members that Hitler gained power, but through the voters who in accordance with the law elected him to office.

Q You didn't answer my question. My question was - do you understand that Hitler could not have done anything without the Nazi Party?

A Yes.

Q Therefore, do you admit or don't you that you are responsible for all the crimes which Hitler committed?

A Just as much as a soldier is responsible for the crimes which his general commits.

COLONEL ORLOV: No further questions.

BY DR. NATH:

Q Witness, you state that Block and Zellenleiters did not receive any political instructions from the Ortsgruppenleiter, is that so?

A Yes.

Q You further state that it was the Ortsgruppenleiter and the Kreisleiter and the Gauleiter who had to fulfill the political tasks?

A Yes.

Q Were the Ortsgruppenleiter able to fulfill their political tasks?

A I don't know what the tasks of the Ortsgruppenleiter were.

Q You know, don't you, that the Ortsgruppenleiter had a political staff?

A Yes.

Q List a few offices of the Staff of Ortsgruppenleiter?

A Treasurer, man in charge of organization, propaganda leader, training leader

H0964-0063

man in charge of press relations and man in charge of cultural activities.

Q Isn't it true that the names of these office already indicate the nature of the task which the Ortsgruppenleiter had to fulfill?

A Yes.

Q Was the function of the Zellenleiter and Blockleiter to assist the Ortsgruppenleiter in the fulfillment of these tasks? For instance, was it the task of the Blockleiter and Zellenleiter to cooperate with the man in charge of propaganda or the man in charge of training?

A Yes.

Q In what manner?

A By carrying out the instructions of the treasurer.

Q I didn't talk about the treasurer - I talked about the man in charge of training and propaganda?

A I never had anything to do with the men in charge of training. The man in charge of propaganda just passed on to us material for propaganda for distribution to the families in our districts.

Q Would it be fair to say that the Block and Zellenleiters were the messenger or errand boys of the Ortsgruppenleiter or would these Block and Zellenleiters have independent tasks of their own?

A At no time did the Block and Zellenleiters fulfill any independent tasks of their own.

Q You were asked whether the higher levels of the party had been unable to work without the Block and Zellenleiter?

A That is so.

Q The persecution of the Jews, the establishment of the concentration camps, the foreign laborers, the suppression of the churches -- all these are matters of which you stated the Block and Zellenleiters had nothing to do with. Then how was it possible that all things could take place and did take place if, as you stated before, nothing could have been done without the Block and Zellenleiters?

H0964-0064

A Party and State were one, but the measures of the State were not carried out exclusively by the Party. I don't know who in the individual case would carry out these measures. At any rate the Block and Zellenleiters had nothing to do with it-... Actually they were not Hoheitstragers and therefore, they were in no position to fulfill political tasks.

Q I would like to aid your memory a little - the day of Potsdam - that was a political day, wasn't it?

A Yes.

Q What was the meaning of the happening of the day of Potsdam?

A The German parliament assembled in the church at Potsdam to receive addresses of the president and the chancellor of the Reich.

Q How many concentration camps did you actually know of?

A We knew of Dachau.

Q How many others?

A We didn't know of any other names.

DR. NATH: That is all.

MR. TAYLOR: Any further cross examination of this witness?

None. (All counsel indicated no)

DR. NATH: I was given today a document D-901A and I have only a brief chance to glance it over. This document which is a document of the prosecution is pointed out by my colleagues and does not carry any signature. It is a general practice in the court that documents at first are to be submitted in the original, so that the defense has a chance to convince itself of the genuine nature of the document. I would appreciate it if the prosecution could make available to us this document in its original, so that we can express opposition in regard to it, and I would like to request that up to that moment that the document should not be used in evidence nor should it be made a part of the proceedings.

MR. TAYLOR: Dr. Nath, if you will recall the prosecution stated yesterday that the original document was in Maryland; (U.S.A. that the same

that the copy be presented to you and offered in evidence had been certified to by some official in England as a true and correct copy of the original, and I assumed at that time after explanation to you, and Col. Jones explained it - that you were thoroughly familiar with the situation - that it was a certified true copy and not the original.

DR. NATH: Would it be possible at least that we would be given the certificate and that we postpone decision on the matter until we received the certification about which you are talking.

MR. TAYLOR: Yes, you are entitled to a true copy of the exhibit and a copy of the certification also. Prosecution has stated that they will furnish you a true copy of the document and certificate in question.

The witness is excused. The Commission will recess for ten minutes. 1530 hours.

The foregoing is a true and correct transcript of the testimony of HANS SCHNEIDER, taken on 18 and 19 June 1946.

Dorothie J. Noll
Reporter

Bernice Winkler
Reporter

CERTIFIED TO:

Geo. R. Taylor
Commissioner

H0964-0065